

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

In Re:	Case No.:	17-20755 (KCF)
ALEXANDER J. FIGLIOLIA,	Chapter:	7
Debtor.	Judge:	Kathryn C. Ferguson

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**NOTICE OF PROPOSED COMPROMISE or SETTLEMENT OF CONTROVERSY**

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Andrea Dobin, Chapter 7 Trustee, in this case proposes a compromise, or to settle a claim and/or action as described below. If you object to the settlement or compromise, you must file a written objection with the Clerk of the United States Bankruptcy Court, and serve it on the person named below not later 7 days before the hearing date.

Address of the Clerk:	United States Bankruptcy Court 402 East State Street Trenton, New Jersey 08608
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If an objection is filed, a hearing will be held before the Honorable Kathryn C. Ferguson on January 25, 2022 at 10:00 a.m. at the United States Bankruptcy Court, Courtroom No. 2, 402 E. State Street, Trenton, NJ 08608 (hearing to be scheduled for at least 28 days from the date of the filing of the notice). If no objection is filed the clerk will enter a *Certification of No Objection* and the settlement may be completed as proposed.

Nature of action: On July 11, 2017, the Department of the Treasury – Internal Revenue Service (the “IRS”) filed a proof of claim asserting a secured claim against, <i>inter alia</i> , the real and personal property located at 105 Middletown Road, Holmdel, New Jersey belonging to the estate, as well as, Ms. Figliolia (the “Assets”) in the amount of \$3,422,880.45. See Claim No. 6-1. On May 5, 2021, the IRS filed an amended proof of claim reducing the amount of the asserted secured portion of their claim to \$1,172,085.41. See Claim No. 6-5. The State of New Jersey – Division of Taxation (the “State of New Jersey”) has also asserted a lien against the Assets, and on September 11, 2017, the State of NJ filed a secured claim (Claim No. 10) in the Debtor’s bankruptcy case in the amount of \$602,883.32.
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Pertinent terms of settlement: In an effort to have the Assets sold and provide a benefit to the IRS and the State of NJ, as well as, creditors of the Debtor’s estate, the IRS and the State of NJ have agreed that \$100,000 of the Net Proceeds will be retained by the bankruptcy estate to be distributed in accordance with 11 U.S.C. § 726. The proposed consent order provides for a distribution that would otherwise not be available, given the extent of the liens of both the IRS and the State of NJ’s, absent such an agreement, as well as, avoiding a 11 U.S.C. § 506(c) fight involving both of the taxing authorities.. The Trustee believes that the agreement with the IRS and the State of NJ, which has reduced to money property of the estate, is in the best interests of the estate and its creditors.
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Objections must be served on, and requests for additional information directed to:

Name: Joseph R. Zapata, Jr., Esq., Counsel to the Trustee

Address: McManimon Scotland & Baumann, LLC, 427 Riverview Plaza, Trenton, NJ 07950

Telephone No.: (973) 681-7979

In re:  
Alexander J Figliolia  
Debtor

Case No. 17-20755-KCF  
Chapter 7

## CERTIFICATE OF NOTICE

District/off: 0312-3  
Date Rcvd: Dec 28, 2021

User: admin  
Form ID: pdf905

Page 1 of 4  
Total Noticed: 50

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. § 342(f)/Fed. R. Bank. P. 2002(g)(4).

### Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 30, 2021:

Recip ID	Recipient Name and Address
db	+ Alexander J Figliolia, 8 Henley Circle, Manchester, NJ 08759-6081
aty	+ Atkinson & DeBartolo, PC, The Galleria, 2 Bridge Avenue, PO Box 8415, Red Bank, NJ 07701-8415
aty	+ Hugh H. Shull, Corporation Counsel Office, 100 Church Street, Room 5-233, New York, NY 10007-2601
acc	+ Barbara Rizzi, Barbara Rizzi, CPA, 25 Potter Lane, Huntington, NY 11743-2142
auc	+ C.T. Peters, Inc., 2-A West Front Street, Red Bank, NJ 07701-1602
br	+ LUCY STARR, RE/MAX CENTRAL, 520 U.S. 9, MANALPAN, NJ 07726-8264
acc	+ Sharer Petree Brotz & Snyder, 1103 Laurel Oak Road, Suite 105B, Voorhees, NJ 08043-4376
cr	+ THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW, Phelan Hallinan & Schmieg, PC, 1617 JFK Boulevard, Suite 1400, Philadelphia, PA 19103-1814
cr	+ THE BANK OF NEW YORK MELLON f/k/a THE BANK OF NEW, McCalla Raymer Leibert Pierce, LLC, 99 Wood Avenue South, Suite 803, Iselin, NJ 08830-2713
cr	+ THE BANK OF NEW YORK MELLON, FKA THE BANK OF NEW Y, c/o Frenkel, Lambert, Weiss, Weisman & G, 80 Main Street, Suite 460, West Orange, NJ 07052-5414
auc	+ The Auctioneers Group, 22 Smock Street, Neptune, NJ 07753-6743
517250692	+ Alan H. Kleinman, Sr. Counsel, Affirmative Litigation, Div. NYC Law Dep, 100 Church St., New York, NY 10007-2668
516847581	+ American Express, PO Box 1270, Newark, NJ 07101-1270
516883476	American Express Bank, FSB, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
516911966	American Express Centurion Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
518625041	American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
519231591	+ Atkinson & DeBartolo, P.C., Attn: Bunce D. atkinson, P.O.Box 8415, Red Bank, N.J. 07701-8415
516847582	+ Bank of America, PO Box 31785, Tampa, FL 33631-3785
516946981	+ Bob and Phyllis Napolitano, 30 Cottontail Court, Staten Island, NY 10312-4701
516847583	+ Capital One/Saks Fifth Ave., PO Box 10327, Jackson, MS 39289-0327
517079304	+ Cavalry SPV I, LLC, Bass & Associates, P.C., 3936 E Ft. Lowell Road Suite #200, Tucson, AZ 85712-1083
517087494	+ City of New York, Office of the Corporation Counsel., Alan Kleinman, Esq, 100 Church Street, New York, New York 10007-2601
516872226	+ Corporation Counsel City of NY ECB, c/o Alan H. Kleinman, Sr. Counsel, Affirmative Litigation Div. NYC Law Dept, 100 Church St., New York, NY 10007-2601
516847586	+ DMS CGI, PO Box 979110, St Louis, MO 63197-9001
517250683	Katie Brown Esq, Buckley Madole PC, 99 Wood Ave. Iselin, NJ 08830
516847588	+ Lomurro, Munson, Comer, et al, 4 Paragon Way Ste. 100, Freehold , NJ 07728-7805
517250684	+ Michael P. Collins, Esq. Archer & Greiner, 10 Highway 35, Red Bank, NJ 07701-5902
516879398	NY State Dept. of, Taxation and Finance, Bankruptcy Section, PO Box 5300, Albany, NY 12205-0300
516847591	+ NYS Department of Finance, W A Harriman Campus Bldg 9, Albany, NY 12227-0001
516847589	+ Nationstar Mortgage, LLC, PO Box 60516, City of Industry, CA 91716-0516
516847590	+ New Jersey Div. of Taxation, Neptune Investigation A, 1828 West Lake Ave.-3rd Fl., Neptune, NJ 07753-4663
517250699	+ OMS CGI, PO Box 979110, St Louis, MO 63197-9001
517053407	+ Robert Napolitano and Phyllis Napolitano, 30 Cottontail Court, Staten Island NY 10312-4701
517053408	+ Robert and Phyllis Napolitano, 30 Cottontail Court, Staten Island NY 10312-4701
517243157	+ Saeteros Campoverde, c/o Law Office of Justin A. Zeller, Esq., 277 Broadway-Ste. 408, New York, NY 10007-2036
517250688	+ Saeteros Campoverde, c/o Law Office of Justin A. Zeller, PC, 277 Broadway - Ste. 408, New York, NY 10007-2036
517250689	+ Sean O'Brien, Esq., Frankel Lambert Weiss et al, 80 Main St.-Ste.460, West Orange, NJ 07052-5414
517250678	+ State of NJ - Div. of Taxati, Revenue Processing Ctr. PO Box 111, Trenton, NJ 08645-0111
516847593	+ State of NJ - Div. of Taxation, Revenue Processing Ctr., PO Box 111, Trenton, NJ 08645-0111
517059896	State of New Jersey, Division of Taxation, P.O. Box 245, Trenton, NJ 08695-0245
517106701	+ THE BANK OF NEW YORK MELLON Trustee (See 410), c/o Nationstar Mortgage LLC, PO Box 619096, Dallas, Texas 75261-9096
516949404	The Bank of New York Mellon, C/O Bank of America, PO Box 31785, Tampa, FL 33631-3785
516847597	+ Township of Holmdel, 4 Crawfords Corner Road, Holmdel, NJ 07733-1908

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Date Rcvd: Dec 28, 2021

Form ID: pdf905

Total Noticed: 50

517048428 Wells Fargo Bank, N.A., Wells Fargo Card Services, PO Box 10438, MAC F8235-02F, Des Moines, IA 50306-0438  
516847598 + Wells Fargo Card Services, PO Box 14517, Des Moines, IA 50306-3517

TOTAL: 45

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	Email/Text: usanj.njbankr@usdoj.gov	Dec 28 2021 20:27:00	U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg	+ Email/Text: ustpreregion03.ne.ecf@usdoj.gov	Dec 28 2021 20:27:00	United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
516847585	+ Email/Text: sbse.cio.bnc.mail@irs.gov	Dec 28 2021 20:27:00	Dept. of Treasury, Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346
516847592	+ Email/Text: bankruptcynotices@cbecompanies.com	Dec 28 2021 20:27:00	Small Business Administration, c/o CBE Group, 1309 Technology Pkwy., Cedar Falls, IA 50613-6976
518685618	+ Email/Text: ustpreregion03.ne.ecf@usdoj.gov	Dec 28 2021 20:27:00	United States Trustee, One Newark Center, Suite 2100, Newark, NJ 07102-5235

TOTAL: 5

**BYPASSED RECIPIENTS**

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
517250693	*+	American Express, PO Box 1270, Newark, NJ 07101-1270
517250694	*+	Bank of America, PO Box 31785, Tampa, FL 33631-3785
517250695	*+	Bob and Phyllis Napolitano, 30 Cottontail Court, Staten Island, NY 10312-4701
517250696	*+	Capital One/Saks Fifth Ave., PO Box 10327, Jackson, MS 39289-0327
517250698	*+	Dept. of Treasury Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346
516847584	*P++	INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346, PHILADELPHIA PA 19101-7346, address filed with court., Dept. of the Treasury, Internal Revenue Service, Kansas City, MO 64999
517250697	*P++	INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346, PHILADELPHIA PA 19101-7346, address filed with court., Dept. of the Treasury, Internal Revenue Service, Kansas City, MO 64999
516847587	*P++	INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346, PHILADELPHIA PA 19101-7346, address filed with court., Internal Revenue Service, 4 Paragon Way - Ste. 2, Freehold, NJ 07728
517250700	*P++	INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346, PHILADELPHIA PA 19101-7346, address filed with court., Internal Revenue Service, 4 Paragon Way - Ste. 2, Freehold, NJ 07728
517250687	*+	NYS Department of Finance, W A Harriman Campus Bldg 9, Albany, NY 12227-0001
517250685	*+	Nationstar Mortgage, LLC, PO Box 60516, City of Industry, CA 91716-0516
517250686	*+	New Jersey Div. of Taxation, Neptune Investigation A, 1828 West Lake Ave.-3rd Fl., Neptune, NJ 07753-4663
517250690	*+	Small Business Administration, c/o CBE Group, 1309 Technology Pkwy., Cedar Falls, IA 50613-6976
516847594	*+	State of NJ - Div. of Taxation, Revenue Processing Ctr., PO Box 111, Trenton, NJ 08645-0111
517250691	*+	State of NJ - Div. of Taxation, Revenue Processing Ctr., PO Box 111, Trenton, NJ 08645-0111
516847595	*+	State of NJ Div of Taxation, Revenue Processing Ctr, PO Box 111, Trenton, NJ 08645-0111
517250679	*+	State of NJ Div of Taxation, Revenue Processing Ctr, PO Box 111, Trenton, NJ 08645-0111
516847596	*+	State of NJ Div. of Taxation, Revenue Processing Ctr., PO Box 111, Trenton, NJ 08645-0111
517250680	*+	State of NJ Div. of Taxation, Revenue Processing Ctr. PO Box 111, Trenton, NJ 08645-0111
517250681	*+	Township of Holmdel, 4 Crawford's Corner Road, Holmdel, NJ 07733-1908
517250682	*+	Wells Fargo Card Services, PO Box 14517, Des Moines, IA 50306-3517

TOTAL: 0 Undeliverable, 21 Duplicate, 0 Out of date forwarding address

**NOTICE CERTIFICATION**

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

District/off: 0312-3

User: admin

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Date Rcvd: Dec 28, 2021

Form ID: pdf905

Total Noticed: 50

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Dec 30, 2021

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 27, 2021 at the address(es) listed below:

Name	Email Address
Andrea Dobin	ecftrustead@msbnj.com NJ55@ecfbis.com;trusteedobin@remote7solutions.com
Andrea Dobin	on behalf of Trustee Andrea Dobin adobin@msbnj.com
Brandon David Sherr	on behalf of Creditor Segundo Marcial Saeteros-Campoverde bsherr@zellerlegal.com mgutierrez@zellerlegal.com,jazeller@zellerlegal.com
Bunce Atkinson	on behalf of Accountant Barbara Rizzi bunceatkinson@aol.com
Bunce Atkinson	on behalf of Attorney Atkinson & DeBartolo PC bunceatkinson@aol.com
Bunce Atkinson	on behalf of Debtor Alexander J Figliolia bunceatkinson@aol.com
Douglas J. McDonough	on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORKSUCCESSOR INDENTURED TRUSTEE TO JPMORGAN CHASE BANK, N.A., AS INDENTURED TRUSTEE FOR THE CWHEQ REVOLVING HOME EQUITY LOAN TRUST, SERIES 2005-K DMcDonough@flwlaw.com
John Gurrieri	on behalf of Creditor Segundo Marcial Saeteros-Campoverde jmgurrieri@zellerlegal.com
Joseph R Zapata, Jr	on behalf of Trustee Andrea Dobin jzapata@msbnj.com
Lauren Bielskie	on behalf of U.S. Trustee United States Trustee lauren.bielskie@usdoj.gov
Lauren Bielskie	on behalf of U.S. Trustee U.S. Trustee lauren.bielskie@usdoj.gov
Melissa N. Licker	on behalf of Creditor THE BANK OF NEW YORK MELLON f/k/a THE BANK OF NEW YORK as Trustee for CHL Mortgage Pass-Through Trust 2003-48 Mortgage Pass-Through Certificates Series 2003-48 mlicker@hillwallack.com, HWBKnewyork@ecf.courtdrive.com
Melissa N. Licker	on behalf of Creditor THE BANK OF NEW YORK MELLON f/k/a THE BANK OF NEW YORK as Trustee for CHL Mortgage Pass-Through Trust 2003-48 Mortgage Pass-Through Certificates Series 2003-48 by Nationstar Mortgage LLC, the servi mlicker@hillwallack.com, HWBKnewyork@ecf.courtdrive.com
Michele M. Dudas	on behalf of Plaintiff Andrea Dobin mdudas@msbnj.com
Michele M. Dudas	on behalf of Trustee Andrea Dobin mdudas@msbnj.com
Rebecca Ann Solarz	on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORKSUCCESSOR INDENTURED TRUSTEE TO JPMORGAN CHASE BANK, N.A., AS INDENTURED TRUSTEE FOR THE CWHEQ REVOLVING HOME EQUITY LOAN TRUST, SERIES 2005-K rsolarz@kmlawgroup.com
Scott C. Pyfer	on behalf of Plaintiff Biagio Napolitano scott@pyferlawgroup.com scottpyfer@gmail.com;pyfersr87748@notify.bestcase.com
Scott C. Pyfer	on behalf of Plaintiff Filomena Napolitano scott@pyferlawgroup.com scottpyfer@gmail.com;pyfersr87748@notify.bestcase.com
Scott C. Pyfer	

District/off: 0312-3

User: admin

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Date Rcvd: Dec 28, 2021

Form ID: pdf905

Total Noticed: 50

on behalf of Creditor Biagio Napolitano scott@pyferlawgroup.com scottpyfer@gmail.com;pyfersr87748@notify.bestcase.com

Scott C. Pyfer

on behalf of Creditor Filomena Napolitano scott@pyferlawgroup.com scottpyfer@gmail.com;pyfersr87748@notify.bestcase.com

Scott C. Pyfer

on behalf of Creditor Robert Napolitano scott@pyferlawgroup.com scottpyfer@gmail.com;pyfersr87748@notify.bestcase.com

Sean M. O'Brien

on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORKSUCCESSOR  
INDENTURED TRUSTEE TO JPMORGAN CHASE BANK, N.A., AS INDENTURED TRUSTEE FOR THE CWHEQ  
REVOLVING HOME EQUITY LOAN TRUST, SERIES 2005-K DMcDonough@flwlaw.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

Valerie A. Hamilton

on behalf of Creditor New Jersey Division of Taxation Valerie.Hamilton@law.njoag.gov

Ward Benson

on behalf of Creditor United States of America on behalf of the Internal Revenue Service ward.w.benson@usdoj.gov  
Eastern.Taxcivil@usdoj.gov;james.j.wilkinson@usdoj.gov

TOTAL: 25